

## **REMARKS/ARGUMENTS**

No Claim has been amended. The Examiner's rejection is fully traversed below. It is respectfully submitted that claimed invention is patentable over *Steele Jr. and Agesen et al.* for at least the following reasons:

**(a) The verifier described by Steele Jr. does NOT teach or suggest: determining whether a Java command is likely to place the only reference to a Java object on an execution stack (Claim 9)**

In the Final Office Action, the Examiner has asserted that *Steele Jr.* teaches: "determining the number of references to an object" (Final Office Action, page 2). It is noted that *Steele Jr.* teaches: "number of reference variables (R) is determined" (*Steele Jr.*, Col. 16, lines 48-50). However, contrary to the Examiner's assertion, it is very respectfully submitted that determining the number of reference variables does NOT teach or suggest: determining the number of references to an object. Clearly, *Steele Jr.* is referring to variable slots used by a method (*Steele Jr.*, Col. 15, line 3), and NOT the number of references to a particular object. As such, it is respectfully submitted that *Steele Jr.* does NOT teach or suggest determining whether a Java command is likely to place the only reference to a Java object on an execution stack because, among other things, it fails to even teach: determining the number of references to an object.

**(b) Determining control paths taught by Agesen et al. does NOT teach or suggest determining whether there is a change in the flow control (Claim 1)**

It is noted that *Agesen et al.* teaches: "determining whether an instruction sequence includes code defining at least two control paths leading to a common jsr subroutine" (*Agesen et al.*, Col. 12, lines 55-59). However, contrary to the Examiner's assertion, it is very respectfully submitted that determining whether at least two control paths lead to a common subroutine, (see, Figs. 1 and 2 of *Agesen et al.*) does NOT teach or suggest determining whether there is a change in the flow control.

### **CONCLUSION**

Based on the foregoing, it is submitted that all the pending claims are patentably distinct over the cited art of record. Additional limitations recited in the independent claims or the dependent claims are not further discussed because the limitations discussed above are sufficient to distinguish the claimed invention from the cited art. Accordingly, Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 500388 (Order No. SUN1P833). Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
BEYER WEAVER & THOMAS, LLP



R. Mahboubian  
Reg. No. 44,890

P.O. Box 70250  
Oakland, CA 94612-0250  
(650) 961-8300